Permit

Environmental Protection Act 1994

Environmental authority EPPR00384013

This environmental authority is issued by the administering authority under Chapter 5 of the Environmental Protection Act 1994.

Environmental authority number: EPPR00384013

Environmental authority takes effect on 18 July 2018

Environmental authority holder(s)

Name(s)	Registered address
Sustainable Energy Infrastructure Pty Ltd as trustee for Sustainable Energy Infrastructure Trust	Level 1 39 Brisbane Avenue BARTON ACT 2600

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
Prescribed ERA, ERA 14 - Electricity Generation, 1: Generating electricity by using gas at a rated capacity of 10MW electrical or more	Lot 54/GV63

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority (EA) is issued is a restatement of the ERA as defined by legislation at the time the EA is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an EA as to the scale, intensity or manner of carrying out an ERA, the conditions prevail to the extent of the inconsistency.

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the Environmental Protection Act 1994 (EP Act).

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days);

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term ‘duty to notify’.

Department of Environment and Science
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or
b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
c) otherwise-on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the Planning Act 2016 or an SDA Approval under the State Development and Public Works Organisation Act 1971), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.

Clancy Mackaway
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Date issued: 23 July 2018

Enquiries:
Extraction, Energy and Chemical Industries Assessment
Department of Environment and Science
Phone: 1300 130 372
Email: palm@des.qld.gov.au

Obligations under the Environmental Protection Act 1994

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

Legislative requirements and conditions of environmental authority

Conditions of environmental authority

Location: Moranbah Power Station- Lot 54 Plan GV63

Relevant Activity: 14-(1) Electivity Generation > 10MW gas

The environmentally relevant activity conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

Schedule A - Activity

Prevent and /or minimise likelihood of environmental harm	
Condition number	**Condition**
A1-1	In carrying out the environmentally relevant activities, you must take all reasonable and practicable measures to prevent and / or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, or negligently, may cause environmental harm, in a manner that could have been prevented, shall be carried out in a proper manner in accordance with the conditions of this approval. NOTE: This approval authorises the environmentally relevant activity. It does not authorise environmental harm unless a condition contained within this approval explicitly authorises that harm. Where there is no condition or the approval is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.
Maintenance of measures, plant and equipment	
Condition number	**Condition**
A2-1	The holder must: - install all measures, plant and equipment necessary to ensure compliance with the conditions of this environmental authority; and - maintain such measures, plant and equipment in a proper and efficient condition; and - operate such measures, plant and equipment in a proper and efficient manner.
Site based management plan	
Condition number	**Condition**
A3-1	From commencement of the activity, a Site Based Management Plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in

	the overall environmental performance of all Environmentally Relevant Activities that are carried out. The site based management plan must address the following matters: - Environmental commitments - a commitment by senior management to achieve environmental goals. - Identification of environmental issues and potential impacts. - Control measures for routine operations to minimise likelihood of environmental harm. - Contingency plans and emergency procedures for non-routine situations. - Organisational structure and responsibility. - Effective communication. - Monitoring of the contaminant releases. - Conducting environmental impact assessments. - Staff training. - Record keeping. - Periodic review of environmental performance and continual improvement.
Records	
Condition number	**Condition**
A5-1	Record, compile and keep all monitoring results required by this document and present this information to the administering authority when requested, in a specified format.

End of conditions for schedule A

Schedule B- Air

Nuisance	
Condition number	**Condition**
B1-2	The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance at any odour sensitive place.

Dust nuisance	
Condition number	**Condition**
B2-1	The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any dust sensitive place.

B2-2	Exceedance of any of the following levels when measured at any dust sensitive place is an environmental nuisance for the purposes of condition B2-1.
	- Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10 of 1991; OR
	- A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a dust sensitive place downwind of the site, when monitored in accordance with:
	  - Australian Standard AS 3580.9.6 'Ambient air - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet - Gravimetric method'; or
	  - any alternative method of monitoring PM10 which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.

B2-3	When requested by the Administering Authority, dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results notified within 14 days to the administering authority following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected dust sensitive place and at upwind control sites and must include: - for a complaint alleging dust nuisance, dust deposition; and - for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere over a 24hr averaging time.

The release of contaminants to the atmosphere	
Condition number	**Condition**

B3-1	The emission of NOx from each point of emission shall not be greater than 500mg/Nm^3 at STP.
B3-2	Stack testing of two emission points must be undertaken yearly so that each stack will be tested once every 4 years.
B3-3	Stack testing mentioned in B3-2 must be undertaken to determine concentrations of NOx and CO versus CO_2.
B3-4	After initial commissioning and every 6 months thereafter the plant operator is to carry out internal monitoring of the plant to ensure plant is functioning to manufacturer's specifications. Internal monitoring refers to the monitoring required and/or recommended to ensure efficient operation. This may include measurement of parameters such as temperature, pressure, oxygen concentration and carbon monoxide concentration.

B3-5	When requested by the Administering Authority, contaminant monitoring and recording must be undertaken to investigate any complaint of contamination, and the results notified within 14 days to the administering authority. When monitoring is requested the following must be complied with:
	- monitoring provisions for the release points mentioned in B3-2 must comply with the Australian Standard AS 4323.1 - 1995 'Stationary source emissions Method 1: Selection of sampling positions'.
	- the following tests must be performed for each required determination specified in B3-2 and B3-3:
	  - gas velocity and volume flow rate;
	  - temperature
	  - water vapour concentration (moisture content),
	- where practicable samples must be taken when emissions are expected to be at maximum rates.
	- during the sampling period the following additional information must be gathered:
	  - production rate at the time of sampling;
	  - raw materials used;
	  - number of equipment and mixing vessels operating;
	  - operating or mixing temperature;
	  - product made; and
	  - reference to the actual test methods and accuracy's.

End of Conditions for schedule B

Schedule C- Water

Release to waters	
Condition number	**Condition**
C3-1	Contaminants must not be released from the site to any waters or the bed and banks of any waters.

Stormwater management	
Condition number	**Condition**
C5-1	There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.

End of conditions for schedule C

Schedule D- Noise and Vibration

Noise nuisance

Condition number	**Condition**
D1-1	Noise from activities must not cause an environmental nuisance at any noise affected premises.
D1-2	All noise from activities must not exceed the levels specified in Schedule D - Table 1 at any noise affected premises.

Noise Level dB(A) measured as	**7am-6pm**	**6pm-10pm**	**10pm-7am**
	Noise measured at a 'Noise sensitive place'		
$L_{Aeq, adj, 1hr}$	50	50	50
	Noise measured at a 'Commercial place'		
$L_{Aeq, adj, 1hr}$	60	60	60

End of conditions for schedule D

Schedule E- Waste

Waste handling	
Condition number	**Condition**
E5-1	All regulated waste removed from the site must be removed by a person who holds a current approval to transport such waste under the provisions of the *Environmental Protection Act 1994.*

End of conditions for schedule E

Schedule F- Land

Preventing contaminant release to land	
Condition number	**Condition**
F3-1	Contaminants must not be released to land.
F3-2	Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm. NOTE: All petroleum product storage's must be designed, constructed and maintained in accordance with AS 1940 - Storage and Handling of Flammable and Combustible Liquids.

End of conditions for schedule F

Schedule G- Community

Complaint response	
Condition number	**Condition**
G1-1	All complaints received must be recorded including investigations undertaken, conclusions formed and action taken. This information must be made available to the administering authority on request.
G1-2	In consultation with the administering authority, cooperate with and participate in any community environmental liaison committee established in respect of either the site specifically, or the industrial estate where the site is located.

Schedule H- Definitions

Words and phrases used throughout this licence or development approval are defined below:

Where a definition for a term used in this approval is sought and the term is not defined within this approval the definitions provided in the *Environmental Protection Act 1994*, its regulations, and Environmental Protection Policies shall be used.

Term	Definition
administering authority	means the Environmental Protection Agency or its successor.
you	means the holder of this Environmental Authority or owner / occupier of the land which is the subject of this Development Approval.
site	means the place to which this environmental authority relates or the premises to which this development approval relates.
authorised place	means the place authorised under this environmental authority/development approval for the carrying out of the specified environmentally relevant activities
this authority	means this environmental authority/development approval.
authority	means level 1 licence (without development approval), or level 1 approval (without development approval), or level 2 approval (without development approval) under the *Environmental Protection Act 1994.*
approval	means 'notice of development application decision' or 'notice of concurrence agency response' under the *Integrated Planning Act 1997*
dust sensitive place	means - - a dwelling, mobile home or caravan park, residential marina or other residential place; - a motel, hotel or hostel; - a kindergarten, school, university or other educational institution; - a medical centre or hospital; - a protected area; - a park or gardens; or - a place used as an office or for business or commercial purposes. and includes the curtilage of any such place.
odour sensitive place	has the same meaning as a "dust sensitive place"
dwelling	means any of the following structures or vehicles that is principally used as a residence- - a house, unit, motel, nursing home or other building or part of a building; - a caravan, mobile home or other vehicle or structure on land; - a water craft in a marina.
noxious	means harmful or injurious to health or physical well-being.
offensive	means causing offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive.

nuisance sensitive place	includes - - a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or - a motel, hotel or hostel; or - a kindergarten, school, university or other educational institution; or - a medical centre or hospital; or - a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 1992* or a World Heritage Area; or - a public thoroughfare, park or gardens; or - a place used as a workplace, an office or for business or commercial purposes. and includes a place within the curtilage of such a place reasonably used by persons at that place.
$L_{Aeq, adj, T}$	means the adjusted A weighted equivalent continuous sound pressure level measures on fast response, adjusted for tonality and impulsiveness, during the time period T, where T is measured for a period no less than 15 minutes when the activity is causing a steady state noise, and no shorter than one hour when the approved activity is causing an intermittent noise.
noise affected premises	means a "noise sensitive place" or a "commercial place"
noise sensitive place	means - - a dwelling, mobile home or caravan park, residential marina or other residential premises; or - a motel, hotel or hostel; or - a kindergarten, school, university or other educational institution; or - a medical centre or hospital; or - a protected area; or - a park or gardens. - and includes the curtilage of such place.
commercial place	means a place used as an office or for business or commercial purposes.
intrusive noise	means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration - - is clearly audible to, or can be felt by, an individual; and - annoys the individual. In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be given to Australian Standard 1055.2 - 1997 Acoustics - Description and Measurement of Environmental Noise Part 2 - Application to Specific Situations.
protected area	means - - a protected area under the Nature Conservation Act 1992; or - a marine park under the Marine Parks Act 1992; or

	- a World Heritage Area.
waters	includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part-thereof.
land	in the "land schedule" of this document means land excluding waters and the atmosphere.
regulated waste	means non-domestic waste mentioned in Schedule 7 of the Environmental Protection Regulation 1998 (whether or not it has been treated or immobilised), and includes: - for an element - any chemical compound containing the element; and - anything that has contained the waste.
annual return	means the return required by the annual notice (under section 316 of the Environment Protection Act, 1994) for the section 86(2) licence that applies to the development approval.

END OF ENVIRONMENTAL AUTHORITY